

**IN THE FEDERAL COURT OF AUSTRALIA  
DISTRICT REGISTRY**

**N1260 OF 2002**

**MICROSOFT CORPORATION  
First Applicant**

**MICROSOFT PTY LIMITED  
Second Applicant**

**INTERTRUST TECHNOLOGIES  
CORPORATION  
Respondent**

**JUDGE: LINDGREN J**

**DATE OF ORDER: 20 May 2004**

**WHERE MADE: SYDNEY**

**SHORT MINUTES OF ORDER:**

**By consent, the Court makes the following orders:**

1. That the proceeding be dismissed to the intent that the dismissal shall preclude the applicant from bringing a fresh proceeding for a declaration that Australian Patent No. 728776 is invalid or seeking in any proceeding revocation of that Patent, or again seeking such a declaration or order of revocation.
2. That all previous costs orders made in these proceedings be vacated.
3. That each party bear its own costs of and incidental to these pleadings.

**Note: Settlement and entry of orders is dealt with in Order 36 of the Federal Court Rules.**



## FEDERAL COURT OF AUSTRALIA

Phone: (612) 9230 8454  
Fax: (612) 9230 8881  
Email: [Jacqueline.Phillips@fedcourt.gov.au](mailto:Jacqueline.Phillips@fedcourt.gov.au)

Justice Lindgren's Chambers  
Law Courts Building  
Queens Square  
Sydney NSW 2000

### By facsimile

**To** Kathryn Everett/ Ben Lasky (Freehills);  
Kim O'Connell (Mallesons Stephen Jaques)

**Fax no** (02) 9322 4000 / (02) 9296 3999

**From** Jacqueline Phillips, Associate to Lindgren J

**Date** 20 May 2004 **No. of pages** 2 (including this page)

**Subject** Microsoft Corporation & Anor v Intertrust Technologies Corporation (N1260/2002) Orders

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I refer to the fax received earlier today from Kathryn Everett and Ben Lasky of Freehills. Please see attached consent orders made in Chambers by Justice Lindgren today.

If you have any questions in relation to these orders, please contact me by phone on (02) 9230 8454 or e-mail at [Jacqueline.Phillips@fedcourt.gov.au](mailto:Jacqueline.Phillips@fedcourt.gov.au).

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'J Phillips'.

Jacqueline Phillips  
Associate to Justice Lindgren